

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**January 25, 2007**

**DIVISION ONE**

B189736      Temple City Redevelopment Agency      (Certified for Publication)  
                 v.  
                 Bayside Drive Limited Partnership

The orders dated January 6 and January 12, 2006 are reversed; Bayside is awarded its fees and costs incurred on appeal, and the cause is remanded to the trial court with directions to determine (1) whether any part of the remaining \$22,523.64 should be taxed, and (2) the amount due to Bayside for its reasonable appellate litigation expenses.

Vogel (Miriam A.), Acting P.J.

We concur:    Rothschild, J.  
                 Jackson, J. (Assigned)

B191621      Los Angeles County, D.C.S.      (Not for Publication)  
                 v.  
                 Carrie E.

The May 2, 2006 order is affirmed.

Mallano, Acting P.J.

I concur:      Jackson, J. (Assigned)  
I concur in judgment only: Vogel (Miriam A.), J.

## DIVISION ONE (Continued)

B188615      People                          (Not for Publication)  
v.  
**Williams**

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The judgment is affirmed.

Mallano, Acting P.J.

We concur: Rothschild, J.  
Jackson, J. (Assigned)

B188839 Franklin (Not for Publication)  
v.  
Los Angeles County Sherriff's Department

The summary judgment is reversed. On remand the trial court is directed to grant LASD's motion for summary adjudication on the cause of action for medical malpractice and to deny its motion for summary adjudication in all other respects. The appeal from that part of the order of December 5, 2005, denying Franklin's motion for reconsideration is dismissed. The order of December 5, 2005, is affirmed. The parties are to bear their own costs on appeal.

Mallano, Acting P.J.

I concur: Jackson, J. (Assigned)  
I concur in the judgment only: Vogel (Miriam A.), J.

## DIVISION ONE (Continued)

B119521 People (Not for Publication)

V.

Anthony Manuel Rubio

The judgment is reversed and the cause remanded to the trial court for a new trial.

Vogel (Miriam A.), J.

We concur:   Mallano, Acting P.J.  
                      Rothschild, J.

B190107 Los Angeles County, D.C.S. (Not for Publication)

V.

I.D.

The February 7, 2006, order is affirmed.

Mallano, Acting P.J.

I concur:        Rothschild, J.

I concur in the judgment: Vogel (Miriam A.), J.

B194965      Halestean G.      (Not for Publication)

V.

Superior Court, Los Angeles County

(Los Angeles County Department of Children and Family Services, r.p.i.)

The petition is denied.

Vogel (Miriam A.), J.

We concur:   Mallano, Acting P.J.  
                      Rothschild, J.

DIVISION TWO

B194256 Janet M. (Not for Publication)  
v.  
Los Angeles County, D.C.S.  
Department of Children and Family Services (RPI)

The petition for extraordinary writ is denied and the order to show cause is discharged.

Ashmann-Gerst, J.

We concur: Boren, P.J.  
Chavez, J.

DIVISION THREE

B186746 People (Not for Publication)  
v.  
Randal Scott Laney

The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.  
Aldrich, J.

B191647 People (Not for Publication)  
v.  
Rene C.,

The order of warship is affirmed.

Klein, P.J.

We concur: Croskey, J.  
Kitching, J.

DIVISION THREE (Continued)

B192123      Los Angeles County, D.C.S.                      (Not for Publication)  
v.  
Teresa H.,

The order from which Mother has appealed is affirmed.

Croskey, J.

We concur:   Klein, P.J.  
                 Aldrich, J.

B182979      Gillan    (Not for Publication)  
v.  
City of San Marino, et al.

The judgment is reversed with directions to the superior court to conduct a new trial limited to determining the amount of compensatory damages to be awarded on Gillan's first count for violation of Civil Code section 52.1 based on a false arrest, the defendants' liability on that count having been established. The order denying the motion for judgment notwithstanding the verdict is affirmed as to the first count and reversed as to the counts for defamation and intentional infliction of emotional distress, with directions to the superior court to enter a judgment in favor of the defendants on the latter two counts at the conclusion of the proceedings on remand. The superior court is further directed to award in that judgment the punitive damages previously awarded against Lieutenant Petersen and Sergeant Street. The order awarding attorney fees is reversed, and the court in its discretion may award fees at the conclusion of the proceedings on remand. Each party is to bear its own costs on appeal.

Croskey, J.

We concur:   Klein, P.J.  
                 Aldrich, J.

DIVISION THREE (Continued)

B194004      First American Title Ins. Co., et al.      (Certified for Publication)

v.

Superior Court, Los Angeles County  
(Jeffrey Albert Sjobring, et al., r.p.i.)

The petition for writ of mandate is granted. The trial court is directed to vacate its order granting Sjobring's motion for precertification discovery and to enter a new order denying that motion. First American Title Insurance Company and First American Homebuilders Reinsurance Company shall recover their costs in this proceeding. The stay heretofore issued shall be vacated upon issuance of the remittitur in this matter.

Croskey, J.

We concur: Klein, P.J.  
Aldrich, J.

B186122      Royal Airline Linen, et al.      (Not for Publication)

v.

Weinstein

The judgment of dismissal is reversed and the case is remanded for further proceedings consistent with this opinion. Plaintiffs shall recover their costs on appeal.

Croskey, J.

We concur: Klein, P.J.  
Kitching, J.

DIVISION THREE (Continued)

B193685      Los Angeles County, D.C.S.      (Not for Publication)  
                 v.  
                 Blanca O.,

The order from which Mother has appeal is affirmed.

Croskey, J.

We concur:   Klein, P.J.  
                 Kitching, J.

B182335      People  
                 v.  
                 Terrell Allison et al

Filed order vacating submission order of October 18, 2006. Due to the press of other court business and the complexity of the issues in this case, additional time is needed to complete and file the opinion in this matter. Cause resubmitted.

DIVISION FOUR

B188944      People      (Not for Publication)  
                 v.  
                 Stinson

The judgment is affirmed.

Willhite, J.

We concur:   Epstein, P.J.  
                 Suzukawa, J.

January 25, 2007 (Continued)

DIVISION FOUR (Continued)

B192286      Los Angeles County, D.C.S.      (Not for Publication)  
                 v.  
                 N.H.

The orders are affirmed.

Manella, J.

We concur:   Willhite, Acting P.J.  
                 Suzukawa, J.